

December 4, 2002

ORGANIZATION: Nuclear Energy Institute (NEI)

SUBJECT: SUMMARY OF MEETING WITH THE NUCLEAR ENERGY INSTITUTE
REGARDING EARLY SITE PERMIT (ESP) ISSUES

On September 25, 2002, representatives from the Nuclear Energy Institute (NEI) met with the Nuclear Regulatory Commission (NRC) staff. The meeting was requested by NEI in order to discuss issues related to ESP applications and reviews. Representatives from Dominion Generation (Dominion), Exelon Generating Company (Exelon) and Entergy Operations, Inc. (Entergy) were in attendance.

Enclosure 1 is a list of the meeting attendees. Enclosure 2 contains the NRC and NEI meeting handouts which can be accessed through the Agencywide Documents Access and Management System (ADAMS). This system provides text and image files of NRC's public documents. The handouts mentioned above may be accessed through the ADAMS system under Accession No. ML022700499. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Follow-up Items from the August 22, 2002, Meeting

The staff provided a response to the NEI questions transmitted via e-mail on September 13, 2002 (See Enclosure 2) regarding the NEI ESP Task Force (ESPTF) draft document entitled "Standard Table of Contents for Early Site Permit Applications" which was distributed during the July 16, 2002, meeting. The staff provided the following responses:

Security - The subject revision of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 100 was published December 11, 1996, with an effective date of January 10, 1997. Since this provision has not been applied to new reactors, the staff advised ESP applicants to utilize the existing guidance in Regulatory Guide 4.7 Rev. 2. The new Office of Nuclear Security and Incident Response (NSIR) has been apprised of this matter and the ESP applicants will be informed of any new developments.

Radiological Consequence Evaluation - The staff discussed format and applicability questions for Sections 2.3.4 and 2.3.5 of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Plants." Section 2.3.6, Site Parameter Envelope, has not been developed for staff use.

Redress Plans - The staff advised the ESP applicants to review Section 4.1.1 of NUREG-1555, "Standard Review Plans for Environmental Reviews for Nuclear Power Plants," for additional guidance regarding redress plans. The staff has no plans to issue additional guidance at this time.

The staff took an action item to discuss the Table of Contents of the ESP Review Standard at the next meeting.

Topics for Next Meeting

In addition, to further follow-up regarding ESP-6 and ESP-7, the NEI ESPTF proposed the following topics to be discussed at the next meeting:

- ESP-3: Quality Assurance requirements of ESP information. NEI ESPTF plans to provide the staff with additional questions on this topic.
- ESP-4: Nominal NRC review time line.
- ESP-13: Guidance for seismic evaluations required by 10 CFR Part 50, Appendix S. During a telephone conference call held on September 24, 2002, NEI proposed that the staff conduct a public meeting at a contractor facility located in Oakland, CA in order to obtain greater details regarding the ongoing Seismic Demonstration Project. The staff took an action item to develop questions on the project methodology so that the staff can provide feedback on areas of concern. Further discussions on the subject topic will be held during future meetings at the NRC Headquarters in Rockville, Maryland.

The staff provided, for comment, the Issue Tracking System listing of ESP Topics dated September 13, 2002, including a graphic slide, "Mechanism for Resolution of ESP Issues" (See Enclosure 2). The purpose of the subject slide was to differentiate between the generic issue resolution process described for ESP-5, "Mechanism for documenting the resolution of ESP issues," and the (pre)-application review activities associated with the individual ESP applicant.

ESP-8 (Use of a Bounding Approach for Providing Fuel Cycle and Transportation Information Required by the National Environmental Policy Act (NEPA) (Table S-3 and S-4)

The staff provided a presentation (See Enclosure 2) to address the NEI ESPTF document entitled ESP-8 which was distributed during the August 22, 2002, meeting. The NEI ESPTF provided a presentation (See Enclosure 2) on their approach to prepare evaluations of Tables S-3 and S-4 in their ESP applications. The evaluation proposed by the ESP applicants is expected to address non-light water reactor designs. The staff took an action item to inform NEI of any additional regulatory references which can be used in the development of the subject evaluations.

ESP-10 (Use for ESP of Relevant Findings from 10 CFR Part 51, Subpart B, Appendix A (License Renewal Generic Environmental Impact Statement (GEIS))

The NEI ESPTF provided a presentation (See Enclosure 2) including examples of their approach to utilize GEIS information where possible to support NUREG-1555 evaluations of environmental issues. The staff restated that the GEIS was developed only for the purpose of renewing a license of an existing nuclear plant. The staff emphasized that any technical information may be utilized given sufficient relevancy and applicability to the ESP application.

The staff warned the ESP applicants that using the GEIS to determine the level of additional effort required to perform evaluations can become problematic due to cost/benefit considerations. The NEI ESPTF agreed to consider the staff feedback and to contact the staff if further discussion is necessary on this matter. The staff took an action item to provide any other feedback on the subject examples prior to the next meeting.

ESP-20 (Practical Use of Existing Site and/or Facility Information)

The NEI ESPTF provided a presentation (See Enclosure 2) on their approach to use existing information in the ESP applications. The staff asked that the ESP applicants define the term "adopted" and identify any source of information to enable public access to all stakeholders. Similar to the discussion conducted on ESP-10, the staff cautioned the ESP applicants about using existing information without establishing relevancy to the conclusions and findings cited in the ESP applications.

ESP-6 (Use of a Bounding Plant Parameter Approach) and ESP-7 (Guidance For Satisfying 10 CFR 52.17(a)(1) Requirement for Description and Safety Assessment of the Facility)

The NEI ESPTF provided a follow-up presentation on the subject issues (See Enclosure 2).

The ESPTF presentation highlighted the following information: (1) Overview of the plant parameter envelope (PPE) approach and examples using the PPE Worksheet; (2) Description of the proposed PPE approach to perform a sample accident dose calculation to show radiological consequences at the Exclusion Area Boundary and the Low Population Zone; and (3) An example involving an assessment of the radiological consequences during normal operation using a combination of bounding design parameters and site characteristics to demonstrate compliance with 10 CFR Part 20 limits. The staff noted that the total integrated dose (TID) source term used in the Advanced Boiling Water Reactor (ABWR) design certification application would not be an acceptable parameter for use in an ESP application. The NEI ESPTF asked the staff to consider the question: Given the use of an ABWR design certification, will an ESP or Combined License (COL) applicant have to redo their TID analyses in order to use alternate source terms as advised in the Part 100 regulations.

The NEI ESPTF plans to provide other technical examples, especially in the environmental review area, at the next meeting. The staff took an action item to develop questions on the PPE approach in order to examine whether it can meet the staff review requirements associated with 10 CFR Part 50 and 10 CFR Part 100.

/RA/

Ronaldo V. Jenkins, Senior Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: As stated

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Meeting
With the Nuclear Energy Institute
September 25, 2002

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Jerry Wilson, NRR
Nanette Gilles, NRR
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Thomas Kenyon, NRR
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Audrey Hayes, NRR
Bruce Musico, NRR
Barry Zalcman, NRR
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Jay Lee, NRR
Becky Karas, NRR
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Robert Bishop
Ellen Anderson

Other Attendees

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George Zinke, Entergy
Eddie Grant, Exelon
Thomas P. Mundy, Exelon Nuclear
Marilyn C. Kray, Exelon
Bill Maher, Exelon
Tony Banks, Dominion
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